

REMARKS

The Examiner, in paragraph 1, objected to the claims for certain informalities. In this regard, Applicant has amended claims 5, 6, 12 and 17. With regard to claim 22, Applicant respectfully submit that the phrase “with a list of one or more” is correct in that the article “a” should be maintained and not replaced with “at”. Applicants respectfully request further clarification of the objection.

With regard to the rejections set forth in paragraph 3, Applicant has amended claims 12, 14 and 17 to provide clarity and appropriate antecedent basis for the terms set forth therein. Accordingly this rejection is no longer applicable.

The Examiner rejected claims 1-6, 8-12 and 14-19 under 35 USC § 101 as being directed to non-statutory subject matter. In this regard, independent claim 1, upon which the remaining claims depend at least ultimately, now provides specific structure. In particular, claim 1 recites providing a service directory on a server accessible over a communication network. Additionally, there is provided the automatically providing the user with a list of one or more of said plurality of unrelated service providers based on said criterion for display on a user display device. Accordingly, claim 1 as currently set forth, positively applies technology in which to implement the invention. Accordingly, it is respectfully submitted that claim 1 in its present form overcomes the rejections set forth by the Examiner.

The Examiner in paragraph 6, rejected claims 1-5, 10, 11, 13 and 17-22 under 35 USC § 102(e) as being anticipated by U.S. Patent No. 6,324,521 for the reasons set forth therein.

The present invention is directed to a method, system, and software product for allowing a user to select, over a communication network, a service provider among a plurality of unrelated service providers for providing a particular goods or services. In particular, claim 1 sets forth the providing of a service directory on a server that is accessible over a communication network which includes entries for a plurality of different unrelated service providers. Claim 1 further sets forth that the user provides a criterion to the server over the communication network for selection of a service provider and automatically

providing the user with a list of one or more of said plurality of unrelated service providers based on the criteria for display on a user display device. The user is not restricted to a particular service provider but is able to have a list provided to the user from which the user may select the appropriate provider. For example, a user may wish to select a service provider that can provide T-shirts having personal images provided thereon. Thus, the server will provide to the user a list of different service providers that can provide this product. After reviewing the list, the user can select one of the offered service providers and then request a particular goods or service be provided by that provider to the user.

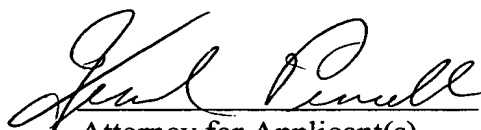
It is respectfully submitted that the Shiota reference does not teach or suggest the present invention. In particular, Shiota does not allow the selecting of a particular service provider among a plurality of unrelated service providers as taught and claimed by Applicant. In Shiota the center server 12 receives order information and assigns a laboratory for outputting the ordered print. See column 8, lines 57-59. The center service simply receives an order and based on the order selects the appropriate laboratory for providing the appropriate goods or service. For example, if a particular equipment is required for the ordered product, the center server will send the order to that particular laboratory. See column 8, lines 64-67. With regard to column 3, lines 5-18, this discloses that a customer can specify the lab at which he or she receives a print and by including information showing the specified lab in the order information, the specified laboratory may be selected as the laboratory to output the print. What this is referring to is that the center server may decide which laboratory is to produce the product. However, this portion of the disclosure merely identifies where the customer may pick up the order. In the present invention, the user is allowed to select a service provider among the list of different unrelated service providers that is provided by the service directory. There is no teaching or suggestion of providing any list to the user nor is there any teaching or suggestion that there be provided a plurality of different unrelated service providers. Quite the contrary, the center is simply directed to related laboratories for producing of the print. Further, there is no teaching or suggestion of providing a user criterion for selecting the service provider. As previously discussed, the user may select a particular type of goods or services where upon the user can then select the appropriate provider, whereas in the Shiota reference, it is the center server that decides who is to produce the

product when a special product is to be made. There is no ability for the user controlling who fulfills the order. In the present invention, the user can select service providers based on a variety of reasons, for example but not limited to, the cost of the goods or services and/or location of the service provider. In the present invention, the user has the ability to select among a plurality of different unrelated service providers that may provide different quality goods or services allowing the user to have a better selection as to who fulfills the order.

In summary, the Shiota reference fails to disclose the invention in many respects. First, it does not teach or suggest the plurality of unrelated service providers. Second, it does not teach or suggest use of a criterion for selection of a service provider. Thirdly, it does not teach or suggest the providing of a list of one or more of the plurality of unrelated service providers based on the criterion to the user. Fourthly, it does not teach or suggest the user selecting one of the plurality of different service providers from the list. Likewise for many of the same reasons, independent claims 20, 21 and 22 are patentably distinct for the same reasons discussed with regard to independent claim 1.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Frank Pincelli", written in dark ink.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.